

Application No. 10/805,222
Amendment dated January 30, 2006
Reply to Office Action of October 19, 2005

Docket No.: 22116-00011-US

REMARKS

Claims 1-3 and 5-15 are now in the application. The recent telephone discussion with Examiner Desai is hereby noted with appreciation. The statement in the office action that the claims directed to method of treating neurological disorders such as depression and anxiety would be allowable is also hereby noted with appreciation. As mentioned during the telephone discussion, Claim 1 has been amended by deleting the recitations concerning "R" and "prodrugs thereof". Claim 1 has also been amended to identify the formulae as 1 and 2 for purposes of clarification and not to limit its scope. In view of the amendment to claim 1, claim 4 has been canceled. Claims 5 and 6 have been amended to include a "." for purposes of clarification and not to limit their scope. Claim 8 has been amended to place it in independent form. The amendments to the claims and newly presented claims do not introduce any new matter.

The rejections of claim 1 under 35 U.S.C. 112, second paragraph and first paragraph have been overcome by the deletion of the recitations concerning "R" and "prodrugs" from claim 1 and the cancellation of claim 4.

The rejection of claims 1-7 under 35 U.S.C. 102 (b) as being anticipated by WO 9200295 has been overcome by the deletion of the recitation "prodrugs thereof" from claim 1. In the office action, the position that the disclosed compounds of the reference read on carboline "prodrugs" and that z and y are such that they form a 5 or 6 membered ring was stated. However, claim 1 has now been amended, as stated above, by deleting the recitation "prodrugs" and therefore is not anticipated by WO 9200295.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

In the event that the examiner believes that an interview would advance the prosecution of this application in any way the undersigned attorney is available at the phone number noted below.

Application No. 10/805,222
Amendment dated January 30, 2006
Reply to Office Action of October 19, 2005

Docket No.: 22116-00011-US

If any additional fee is due, please charge our Deposit Account No. 22-0185, under Order No. 22116-00011-US from which the undersigned is authorized to draw.

Dated:

1/30/06

Respectfully submitted,

By

Burton A. Amernick

Registration No.: 24,852

CONNOLLY BOVE LODGE & HUTZ LLP

Correspondence Customer Number: 30678

Attorney for Applicant